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## SUBMITTED VIA EMAIL AND ELECTRONIC UPLOAD

Regional Freedom of Information Officer  
U.S. EPA, Region 3  
1650 Arch Street (3RC70)  
Philadelphia, PA 19103

### Re: Freedom of Information Act Request for Documents Related to Clemens Food Group and Hatfield Quality Meats

Dear FOIA Officer:

This letter requests documents pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. §§ 552, *et seq.*

If the U.S. Environmental Protection Agency (EPA) takes the position that records responsive to this FOIA request exist, but that those records (or portions of those records) are exempt from disclosure, please specifically identify the records that are being withheld and state the basis for the denial for each record being withheld. In addition, please provide the non-exempt portions of the records as required by 5 U.S.C. § 552(a)(8)(a).

We request complete copies of the following documents related to the Clemens Food Group at its facilities in Hatfield, PA (believed to be operating under the name Hatfield Quality Meats) and Emmaus, PA. The documents requested below are for each of the three facilities:

1. All documents that relate to environmental permits held by Clemens Food Group in relation to its plants in Hatfield, PA (under the name of Hatfield Quality Meats) and Emmaus, PA from 2008 to present. This request includes the following federal and state permits: (1) Clean Water Act, National Pollutant Discharge Elimination System Permits, (2) Safe Drinking Water Act Permits, (3) Water Quality Management Permits, (4) Water Obstruction and Encroachment Permits, (5) Municipal Waste Permits, (6) Resource Conservation and Recovery Act Permits, (7) Clean Air Act Permits, (8) Air

Quality Permits, and (9) General Plan Approval and General Operating Permits. For each permit, our request includes, but is not limited to:

- a. Any draft or final permits issued to Clemens Food Group, Hatfield Quality Meats, or any other subsidiary;
  - b. All documents submitted by or on behalf of Clemens Food Group and Hatfield Quality Meats in applying for or renewing the permits;
  - c. All documents prepared by EPA in consideration of issuing the permits;
  - d. Communications between EPA and the permit applicant regarding the permits;
  - e. Communications between EPA and Pennsylvania Department of Environmental Protection in relation to the permits; and
  - f. Internal EPA communications about the permits.
2. All documents and data submitted to EPA by Clemens Food Group, Hatfield Quality Meats, or its agent as a part of monitoring and/or reporting requirements in any of its environmental permits.
  3. All inspection reports that refer or relate to the Clemens Food Group's facility in Hatfield, PA, and all correspondence or other documents related to those inspections.
  4. All inspection reports that refer or relate to the Clemens Food Group's facility in Emmaus, PA, and all correspondence or other documents related to those inspections.
  5. All documents and communications that relate to any formal or informal complaint about any environmental harm, damage, or pollution from either of the Clemens Food Group facilities referenced above.
  6. All documents and communications that relate to any violation of the environmental permits held by Clemens Food Group or Hatfield Quality Meats or any subsidiaries.

We request that the agency provide us with responsive documents on a rolling basis when such documents are identified by the agency, as opposed to waiting until all responsive documents have been identified.

We request that any applicable fees for this FOIA request be waived pursuant to 5 U.S.C. § 552(a)(4)(A)(iii), as the furnishing of these records will primarily benefit the public. We are a public interest law firm, evaluating a case about the potential human health impacts of materials produced by Clemens Food Group. We intend to use the documents produced in response to this FOIA request to ensure the protection of health under federal environmental statutes. Our intended lawsuit will allow for the dissemination of critical sections of the requested information to members of the public concerned about the health impacts of materials produced by Clemens Food

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Group in their community. Terris, Pravlik & Millian, LLP has an established record of bringing cases of broad public interest that allow for the dissemination of important public records by submitting them to the court where they are publicly available for interested persons to access. *See* <https://www.tpmlaw.com/currentenvironmental>. As this is information that will likely significantly contribute to the public understanding of the potential health impacts of this material and is not in the commercial interest of the requesters, we respectfully request the waiver of all fees.

If the records can be produced in electronic form, we request them in this form. If fees may be incurred, please contact me, Daniel Franz, at [dfranz@tpmlaw.com](mailto:dfranz@tpmlaw.com) or 202-204-8473 with the amount of any proposed search, review, and reproduction charges before those activities are carried out.

Thank you in advance for your assistance in this matter. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Franz", with a checkmark at the end.

Daniel Franz